

**RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE  
TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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**APPENDIX C  
AGENCY COORDINATION**

**RIGHT-OF-WAY PERMIT FOR THE CITY OF ASHEVILLE  
TO ACCESS BLUE RIDGE PARKWAY BRIDGE**

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**NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

Michael F. Easley, Governor

William G. Ross, Secretary

Division of Land Resources, Land Quality Section

Charles H. Gardner, P.G., P.E. Director

Richard A. Phillips, P.E., Regional Engineer

**LETTER OF APPROVAL**

December 13, 2001

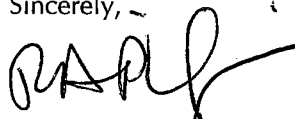
Richard Grant  
City of Asheville  
P. O. Box 7148  
Asheville, NC 28802

This office has reviewed the erosion and sedimentation control plan submitted for the project listed below. We find the plan to be acceptable and hereby issue this Letter of Approval. Please be advised that Title 15A, North Carolina Administrative Code 4B.0017(a), requires that a copy of the approved soil erosion control plan be on file at the job site. Also, you should consider this letter to give the Notice required by NCCGS §113A-61(d) of our right of periodic inspection to ensure compliance with the approved plan. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B.0029.

The State's Sedimentation Pollution Control Program is a performance-oriented program requiring protection of the natural resources and adjoining properties. If, following commencement of this project, it is determined that the plan is inadequate to meet the requirements of NCCGS §113A-51 to 66, this office may require revisions to the plan and implementation of the revisions to ensure compliance with the Act. Acceptance and approval of this plan is conditioned upon your compliance with federal and state water quality laws, regulations, and rules. In addition, local city or county ordinances or rules may also apply to this land-disturbing activity. This approval does not supersede any other permit or approval. *Please be aware that if five acres are to be disturbed by this project, you will be covered by the enclosed general stormwater permit NCG02000 (Construction Activities). You should first become familiar with all of the requirements for compliance with the enclosed general permit.*

Please note that this approval is based in part on the accuracy of the information provided in the Financial Responsibility Form which you have provided. You are requested to file an amended form if there is any change in the information included on the form. **Title 15A NCAC 4B.0127(c) amended July 1, 2000, states: No person shall initiate a land-disturbing activity before notifying the agency that issued the plan approval of the date that the land-disturbing activity will begin.** Thank you for your cooperation.

Sincerely, ~

  
for Michael R. Goodson, CPESC  
Asst. Regional Engineer

MRC:a  
Enclosure  
copy: Wolpert LLP

|                   |                                 |                           |
|-------------------|---------------------------------|---------------------------|
| Project name:     | Azalea Rd. Beneficial Fill Site | River Basin: French Broad |
| ID #:             | BUNCO-2002-007                  | Stream Classification: C  |
| Date received:    | 11/21/01                        |                           |
| New submittal (✓) | Revision ( )                    |                           |

59 Woodfin Place, Asheville, North Carolina 28801

Telephone 828/251-6208 Fax 828/251-6452 & 828/251-6098 Internet: [www.enr.state.nc.us/ENR](http://www.enr.state.nc.us/ENR)

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# CERTIFICATE OF PLAN APPROVAL



The posting of this certificate certifies that an erosion and sedimentation control plan has been approved for this project by the North Carolina Department of Environment and Natural Resources in accordance with North Carolina General Statute 113A - 57 (4) and 113A - 54 (d) (4) and North Carolina Administrative Code, Title 15A, Chapter 4B.0007 (c). This certificate must be posted at the primary entrance of the job site before construction begins and until establishment of permanent groundcover as required by North Carolina Administrative Code, Title 15A, Chapter 4B.0027 (b).

Azalea Rd. Beneficial Fill Site - Buncombe Co.

Project Name and Location

12-13-01

Date of Plan Approval



R. A. R. R.  
Regional Engineer



IN REPLY REFER TO

## United States Department of the Interior

### NATIONAL PARK SERVICE

Blue Ridge Parkway  
199 Hemphill Knob Road  
Asheville, North Carolina 28803

L7617

PIN 1184

October 23, 2003

Mr. David Baker  
US Army Corp of Engineers  
Asheville Regulatory Field Office  
151 Patton Avenue, Room 208  
Asheville, North Carolina 28801-5006

**RE: NEPA Coordination  
Right-of-Way Access  
City of Asheville  
Buncombe County, North Carolina**

Dear Mr. Baker:

The National Park Service is drafting an environmental assessment for the proposed granting of a right-of-way permit adjacent to the Swannanoa River, and downstream of Parkway Bridge # 11283, for the City of Asheville. The City desires access, via NPS property, to a 5-acre beneficial fill site that the City owns between the river and the Southern Railroad Line (see enclosed Oteen USGS map). In addition, the City would provide for deck replacement and new railing for the small SR 2836 bridge across the river that would allow 5-7 trucks /day along this abandoned gravel road to the 5-acre beneficial fill (inert material only) site. The gravel road would not require any new impervious surface as it would only involve geotextiles and slight widening for trucks. The beneficial fill site is raised above the surrounding 100-year floodplain of the Swannanoa River, and is planned to be incorporated into the Azalea Road Park once it has been closed.

We expect to have a draft environmental assessment completed by late winter or early spring that will be available for public review and comment. The final EA is tentatively scheduled for late spring 2004.

The purpose of this letter is to advise you of the EA and to request a list of any issues and/or concerns that we should address during the process, if appropriate. Please provide us with comments by regarding the potential impacts in the project vicinity as they relate to your

jurisdiction. You should provide your written comments to Suzette Molling, Environmental Protection Specialist, at the above address by **December 5, 2003**. If you have any concerns or questions, please call Suzette Molling at 828/271-4779 ext. 219.

Thank you for your attention in this request.

Sincerely,



Daniel W. Brown  
Superintendent

Enclosure

cc: Bambi Teague, BLRI  
David Anderson, BLRI  
Jerry Lang, Woolpert, LLP



IN REPLY REFER TO

# United States Department of the Interior

## NATIONAL PARK SERVICE

Blue Ridge Parkway  
199 Hemphill Knob Road  
Asheville, North Carolina 28803

L7617  
PIN 1184

October 23, 2003

Mr. Brian Cole, Field Supervisor  
U.S. Fish and Wildlife Service  
Asheville Field Office  
160 Zillicoa Street  
Asheville, North Carolina 28801

**RE: NEPA Coordination  
Right-of-Way Access  
City of Asheville  
Buncombe County, North Carolina**

Dear Mr. Cole:

The National Park Service is drafting an environmental assessment (EA) for the proposed granting of a right-of-way permit adjacent to the Swannanoa River, and downstream of Parkway Bridge # 11283, for the City of Asheville. The EA will need to address any federal or state endangered or threatened species, species of special concern, and critical habitat that could be impacted by this project. We are contacting the State of North Carolina's Natural Heritage Program with regard to state concerns.

The City desires access, via NPS property, to a 5-acre beneficial fill site that the City owns between the river and the Southern Railroad Line located on the Oteen USGS map (enclosed). In addition, the City would provide for deck replacement and new railing for the small SR 2836 bridge across the river that would allow 5-7 trucks /day along this abandoned gravel road to the 5-acre beneficial fill (inert material only) site. The gravel road would not require any new impervious surface as it would only involve geotextiles and slight widening for trucks. The beneficial fill site is raised above the surrounding 100-year floodplain of the Swannanoa River, and is planned to be incorporated into the Azalea Road Park once it has been closed.

We expect to have a draft environmental assessment completed by late winter or early spring that will be available for public review and comment. The final EA is tentatively scheduled for late spring 2004.

The purpose of this letter is to advise you of the EA, to request a list of issues, concerns, and species that we should address during the process, and to begin a formal consultation process for this project, if appropriate.

Please provide us with comments by regarding the potential impacts in the project vicinity as they relate to your jurisdiction. You should provide your written comments to Suzette Molling, Environmental Protection Specialist, at the above address by **December 5, 2003**. If you have any concerns or questions, please call Suzette Molling at 828/271-4779 ext. 219.

Thank you for your attention in this request.

Sincerely,



Daniel W. Brown  
Superintendent

Enclosure

cc: Bambi Teague, BLRI  
David Anderson, BLRI  
Jerry Lang, Woolpert, LLP





IN REPLY REFER TO

# United States Department of the Interior

## NATIONAL PARK SERVICE

Blue Ridge Parkway  
199 Hemphill Knob Road  
Asheville, North Carolina 28803

L7617

PIN 1184

October 24, 2003

Mr. John Ramey  
Forest Supervisor  
U.S. Forest Service  
160-A Zillicoa Street  
Asheville, North Carolina 28801-1082

**RE: NEPA Coordination  
Right-of-Way Access  
City of Asheville  
Buncombe County, North Carolina**

Dear Mr. Ramey:

The National Park Service is drafting an environmental assessment for the proposed granting of a right-of-way permit adjacent to the Swannanoa River, and downstream of Parkway Bridge # 11283, for the City of Asheville. The City desires access, via NPS property, to a 5-acre beneficial fill site that the City owns between the river and the Southern Railroad Line (see enclosed Oteen USGS map). In addition, the City would provide for deck replacement and new railing for the small SR 2836 bridge across the river that would allow 5-7 trucks /day along this abandoned gravel road to the 5-acre beneficial fill (inert material only) site. The gravel road would not require any new impervious surface as it would only involve geotextiles and slight widening for trucks. The beneficial fill site is raised above the surrounding 100-year floodplain of the Swannanoa River, and is planned to be incorporated into the Azalea Road Park once it has been closed.

We expect to have a draft environmental assessment completed by late winter or early spring that will be available for public review and comment. The final EA is tentatively scheduled for late spring 2004.

The purpose of this letter is to advise you of the EA and to request a list of any issues and/or concerns that we should address during the process, if appropriate. Please provide us with comments by regarding the potential impacts in the project vicinity as they relate to your

jurisdiction. You should provide your written comments to Suzette Molling, Environmental Protection Specialist, at the above address by **December 5, 2003**. If you have any concerns or questions, please call Suzette Molling at 828/271-4779 ext. 219.

Thank you for your attention in this request.

Sincerely,



Daniel W. Brown  
Superintendent

Enclosure

cc: Jerry Lang, Woolpert, LLP

RECEIVED

OCT 31 2003

WOOLPERT LLP



IN REPLY REFER TO

# United States Department of the Interior

## NATIONAL PARK SERVICE

Blue Ridge Parkway  
199 Hemphill Knob Road  
Asheville, North Carolina 28803

L7617  
PIN 1184

October 23, 2003

Mr. Bob Gale, Executive Director  
Western North Carolina Alliance  
70 Woodfin Place Suite 326  
Asheville, North Carolina 28801

**RE: NEPA Scoping  
Right-of-Way Access  
City of Asheville  
Buncombe County, North Carolina**

Dear Mr. Gale:

The National Park Service is drafting an environmental assessment for the proposed granting of a right-of-way permit adjacent to the Swannanoa River, and downstream of Parkway Bridge # 11283, for the City of Asheville. The City desires access, via NPS property, to a 5-acre beneficial fill site that the City owns between the river and the Southern Railroad Line (see enclosed Oteen USGS map). In addition, the City would provide for deck replacement and new railing for the small SR 2836 bridge across the river that would allow 5-7 trucks /day along this abandoned gravel road to the 5-acre beneficial fill (inert material only) site. The gravel road would not require any new impervious surface as it would only involve geotextiles and slight widening for trucks. The beneficial fill site is raised above the surrounding 100-year floodplain of the Swannanoa River, and is planned to be incorporated into the Azalea Road Park once it has been closed.

We expect to have a draft environmental assessment completed by late winter or early spring that will be available for public review and comment. The final EA is tentatively scheduled for late spring 2004.

The purpose of this letter is to advise you of the EA and to request a list of any issues and/or concerns that you feel we should address during the process, if appropriate. You should provide your written comments to Suzette Molling, Environmental Protection Specialist, at the above address by **December 5, 2003**. If you have any questions, please call Suzette Molling at 828/271-4779 ext. 219.

Thank you for your attention in this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel W. Brown', with a stylized flourish at the end.

Daniel W. Brown  
Superintendent

Enclosure

cc: Jerry Lang, Woolpert, LLP



IN REPLY REFER TO

# United States Department of the Interior

## NATIONAL PARK SERVICE

Blue Ridge Parkway  
199 Hemphill Knob Road  
Asheville, North Carolina 28803

L7617  
PIN 1184

October 23, 2003

Ms. Chrys Baggett  
Environmental Policy Act Coord.  
State Clearinghouse  
146 West Jones Street  
Raleigh, North Carolina 27603-8003

**RE: NEPA Coordination  
Right-of-Way Access  
City of Asheville  
Buncombe County, North Carolina**

Dear Ms. Baggett:

The National Park Service is drafting an environmental assessment for the proposed granting of a right-of-way permit adjacent to the Swannanoa River, and downstream of Parkway Bridge # 11283, for the City of Asheville. The City desires access, via NPS property, to a 5-acre beneficial fill site that the City owns between the river and the Southern Railroad Line (see enclosed Oteen USGS map). In addition, the City would provide for deck replacement and new railing for the small SR 2836 bridge across the river that would allow 5-7 trucks /day along this abandoned gravel road to the 5-acre beneficial fill (inert material only) site. The gravel road would not require any new impervious surface as it would only involve geotextiles and slight widening for trucks. The beneficial fill site is raised above the surrounding 100-year floodplain of the Swannanoa River, and is planned to be incorporated into the Azalea Road Park once it has been closed.

We expect to have a draft environmental assessment completed by late winter or early spring that will be available for public review and comment. The final EA is tentatively scheduled for late spring 2004.

The purpose of this letter is to advise you of the EA and to request a list of any issues and/or concerns that we should address during the process, if appropriate. Please provide us with comments by regarding the potential impacts in the project vicinity as they relate to your jurisdiction. You should provide your written comments to Suzette Molling, Environmental Protection Specialist, at the above address by **December 5, 2003**. If you have any concerns or questions, please call Suzette Molling at 828/271-4779 ext. 219.

Thank you for your attention in this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel W. Brown".

Daniel W. Brown  
Superintendent

Enclosure - (20 copies)

cc: Jerry Lang, Woolpert, LLP



North Carolina  
Department of Administration

2003 DEC 11 PM 2:24

Michael F. Easley, Governor

BLUE Gwyn T. Swinson, Secretary

December 3, 2003

Mr. Daniel W. Brown  
US Dept of Interior-National Pk Service  
199 Hemphill Knob Rd - Blue Ridge Pkwy  
Asheville, NC 28803


Dear Mr. Brown:

Re: SCH File # 04-E-0000-0116; Scoping: Proposed project is for right of way and road widening adjacent to Swannanoa River and downstream of Bridge #11283, access to NPA property, and 5 acre beneficial site that the City owns, replacing deck and railing on the SR 2836 bridge.

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are the comments made by agencies in the course of this review.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

Should you have any questions, please do not hesitate to call.

Sincerely,  
  
Ms. Chrys Baggett  
Environmental Policy Act Coordinator

Attachments

cc: Region B

Mailing Address:  
1301 Mail Service Center  
Raleigh, NC 27699-1301

Telephone: (919)807-2425  
Fax (919)733-9571  
State Courier #51-01-00  
e-mail Chrys.Baggett@ncmail.net

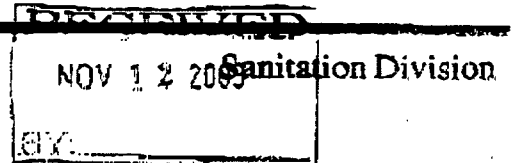
Location Address:  
116 West Jones Street  
Raleigh, North Carolina







## City of Asheville, NC



Land-of-Sky Regional Council  
25 Heritage Drive  
Asheville, NC 28806-1914

November 10, 2003

Attention: Linda Herrera

Subject: Intergovernmental Review Process, Review and Comment  
State Application Identifier # 04-E-0000-0116  
Regional # 013-2003  
Right-of-Way Access

Dear Ms. Herrera,

We are in receipt of your review and comment form regarding the granting of a right-of-way permit for the City of Asheville from the National Park Service utilizing bridge SR 2836 and the abandoned gravel road, to access City owned property for use as a beneficial fill site. The City of Asheville has an agreement with the Blue Ridge Parkway to work co-operatively with the above-mentioned project and will comply with any findings of the environmental assessment.

If further information is needed or any questions are generated, please contact any of the following:

|  |                     |
|--|---------------------|
| Richard Grant, Solid Waste Manager             | Tel. # 828-259-5863 |
| Mark Combs, Director of Public Works           | Tel. # 828-259-5939 |
| David Cole, Assistant Director of Public Works | Tel. # 828-259-5937 |

Sincerely,

Richard Grant  
Solid Waste Manager

att

cc Mark Combs, Director of Public Works  
David Cole, Assistant Director of Public Works

P.O. Box 7148 - Asheville, N.C. 28802 - 828-259-5857 - [www.ashevillenc.gov](http://www.ashevillenc.gov)

*The City of Asheville is committed to delivering an excellent quality of service to enhance your quality of life.*





North Carolina Department of Environment and Natural Resources

William G. Ross Jr., Secretary

Michael F. Easley, Governor

MEMORANDUM

TO: Chrys Baggett  
State Clearinghouse

FROM: Melba McGee *LM*  
Project Review Coordinator

RE: 04-0116 Scoping for National Park Service Granting of Right-of-Way Access, Buncombe County

DATE: November 17, 2003

The Department of Environment and Natural Resources has reviewed the proposed project. The attached comments are a result of this review. More specific comments will be provided during the environmental review process.

Thank you for the opportunity to respond. If during the preparation of the environmental document, additional information is needed, the applicant is encouraged to notify our respective divisions.

Attachments






## North Carolina Wildlife Resources Commission

Charles R. Fullwood, Executive Director

### MEMORANDUM

TO: Melba McGee, Environmental Coordinator  
Office of Legislative and Intergovernmental Affairs

FROM:   
Danielle R. Pender, Acting Mountain Region Coordinator  
Habitat Conservation Program

DATE: 24 November 2003

SUBJECT: Scoping for National Park Service Granting of Right-of-Way Access, Buncombe County, North Carolina, OIA No. 04-0116

Biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the subject document. These comments are provided in accordance with certain provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the North Carolina General Statutes (G.S. 113-131 et seq.), and the National Environmental Policy Act (42 U.S.C. 4332(2)(c)).

The National Park Service (NPS) is proposing to grant a right-of-way permit adjacent to Swannanoa River, and downstream of Parkway Bridge #11238, for the City of Asheville. The City desires access a 5-acre beneficial fill (inert material only) site that the City owns between the river and the Southern Railroad Line. The City would provide for deck replacement and new railing for the SR2836 bridge across the river that would allow 5-7 trucks per day along the gravel road to the 5-acre beneficial site. The road would require slight widening for trucks, but would not require any new impervious surface. The fill site is raised above the 100-year floodplain of the Swannanoa River, and is planned to be incorporated into the Azalea Road Park once it has been closed.

Swannanoa River is designated as hatchery trout waters by the NCWRC. The federal species of concern and state special concern hellbender (*Cryptobranchus alleganiensis*) and the federal species of concern and state significantly rare blotched chub (*Erimystax insignis*) are known from the area. In addition, other listed species formerly known from the Swannanoa River may now be extirpated from this system, such as the federal and state endangered Appalachian elktoe (*Alasmidonta raveneliana*), due to land-uses that resulted in increased discharge or runoff of silt, sediments, and organic and chemical pollutants. Therefore, protecting water quality is essential.

24 November 2003  
NPS Right-of-Way Access  
OLIA 04-0116

We recommend that a minimum 50-foot undisturbed, forested buffer be maintained along all intermittent streams and wetland areas, while a minimum 100-foot undisturbed, forested buffer be maintained along all perennial streams within the project area. Maintaining undisturbed, forested buffers along these areas will also minimize impacts to water quality and aquatic habitat both within and downstream of the project area. In addition, wide riparian buffers are helpful in maintaining stability of stream banks, for treatment of pollutants associated with urban stormwater, and for providing continuous travel corridors for wildlife.

In addition to addressing the concerns discussed above, the environmental document should include a detailed assessment of existing natural resources within the area of potential development and should discuss the potential of mitigating impacts to wetlands, waters, and high quality upland habitat. In addition, to provide a meaningful review of proposed project impacts on fish and wildlife resources, we request that consultants, project sponsors, or permit applicants provide the following information in the environmental document.

1. Include descriptions of fish and wildlife resources within the project area and a listing of federally or state designated threatened, endangered, or special concern species. When practicable, potential borrow areas to be used for project construction should be included in the inventories. A listing of designated species can be developed through consultation with: The Natural Heritage Program, NC Division of Parks and Recreation, 1615 Mail Service Center, Raleigh NC 27699, PH: (919) 733-4181.
2. Surveys should be conducted by biologists with both state and federal endangered species permits
3. Include descriptions of any streams or wetlands affected by the project. Include project maps identifying wetland areas. Identification of wetlands may be accomplished through coordination with the U.S. Army Corps of Engineers (COE). If the COE is not consulted, the person delineating wetlands should be identified and criteria listed.
4. Measures to avoid or minimize impacts to sensitive resources, including wetlands, should be implemented during construction. Where impacts to wetlands are unavoidable, we recommend mitigation of the losses. In addition to providing wildlife habitat, wetland areas perform important functions of flood control and water quality protection. Disturbed wetland areas should be returned to original soils and contours. Plant communities should be re-established that would result in wetland plant community succession into habitat of equal or greater value than the habitat that was destroyed. Temporarily disturbed wetlands should be reseeded with annual small grains appropriate for the season (e.g. oats, millet, rye, wheat, or rye grass) and be allowed to revert to natural wetland vegetation. Crossings of wetlands and streams should be minimized, located at narrow areas, and made perpendicular to the stream.
5. Use bridges for all permanent roadway crossings of streams to eliminate the need to fill and culvert. If culverts must be used, the culvert should be designed to allow for aquatic life passage. Generally, this means that the culvert or pipe invert is buried at least one foot below the natural streambed. If multiple cells are required, the second and/or third cells should be placed so that their bottoms are at stream bankfull stage. This will allow sufficient water depth in the culvert or pipe during normal flows to accommodate fish movements. If culverts are long, baffle systems are required to trap gravel and provide resting areas for fish and other aquatic organisms. If multiple pipes or cells are used, at

24 November 2003  
NPS Right-of-Way Access  
OLIA 04-0116

least one pipe or box should be designed to remain dry during normal flows to allow for wildlife passage. In addition, culverts or pipes should be situated so that no channel realignment or widening is required. Widening of the stream channel at the inlet or outlet of structures usually causes a decrease in water velocity causing sediment deposition that will require future maintenance. Finally, riprap should not be placed on the streambed.

6. Provide a description and a cover type map showing acreage of upland wildlife habitat impacted by the project.
7. Discuss the extent to which the project will result in loss, degradation or fragmentation of wildlife habitat (wetlands and uplands).
8. Discuss any measures proposed to avoid or reduce impacts of the project or to mitigate unavoidable habitat losses.

Thank you for the opportunity to review and comment on this project. If you have any questions regarding these comments, please contact Dave McHenry at (828) 452-0422.

cc: Mark Cantrell, USFWS

E-mail: Sarah McRae, NHP







State of North Carolina

NCDENR Department of Environment and Natural Resources

Reviewing Officer: 4/10Project Number: 04-006Due Date: 11/25/03**INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS**

After review of this project it has been determined that the DENR permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of this form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

|                                     | PERMITS  | SPECIAL APPLICATION PROCEDURES or REQUIREMENTS   | Normal Process Time<br>(Statutory Time Limit) |
|-------------------------------------|--|--|---|
| <input type="checkbox"/>            | Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters.  | Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.   | 30 days<br>(90 days)                          |
| <input type="checkbox"/>            | NPDES-permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.   | Application 180 days before begin activity. On-site inspection preapplication conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.  | 90 - 120 days<br>(N/A)                        |
| <input type="checkbox"/>            | Water Use Permit   | Preapplication technical conference usually necessary  | 30 days<br>(N/A)                              |
| <input type="checkbox"/>            | Well Construction Permit   | Complete application must be received and permit issued prior to the installation of a well.   | 7 days<br>(15 days)                           |
| <input type="checkbox"/>            | Dredge and Fill Permit   | Application copy must be served on each adjacent riparian property owner. On-site inspection. Preapplication conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.   | 55 days<br>(90 days)                          |
| <input type="checkbox"/>            | Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100, 2Q.0300, 2H.0600)  | N/A  | 60 days                                       |
| <input type="checkbox"/>            | Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900   | N/A  | 60 days<br>(90 days)                          |
| <input type="checkbox"/>            | Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 2D.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-733-0820.  |  |   |
| <input type="checkbox"/>            | Complex Source Permit required under 15 A NCAC 2D.0800   |  |   |
| <input type="checkbox"/>            | The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) at least 30 days before beginning activity. A fee of \$40 for the first acre or any part of an acre. |  | 20 days<br>(30 days)                          |
| <input checked="" type="checkbox"/> | The Sedimentation Pollution Control Act of 1973 must be addressed with respect to the referenced Local Ordinance.  |  | 30 days                                       |
| <input type="checkbox"/>            | Mining Permit  | On-site inspection usual. Surety bond filed with DENR. Bond amount varies with type mine and number of acres of affected land. Any are mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.   | 30 days<br>(60 days)                          |
| <input type="checkbox"/>            | North Carolina Burning permit  | On-site inspection by N.C. Division of Forest Resources if permit exceeds 4 days   | 1 day<br>(N/A)                                |
| <input type="checkbox"/>            | Special Ground Clearance Burning Permit-22 counties in coastal N.C. with organic soils.  | On-site inspection by N.C. Division of Forest Resources required "If more than five acres of ground clearing activities are involved, inspections should be requested at least ten days before actual burn is planned."  | 1 day<br>(N/A)                                |
| <input type="checkbox"/>            | Oil Refining Facilities  | N/A  | 90 - 120 days<br>(N/A)                        |
| <input type="checkbox"/>            | Dam Safety Permit  | If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, certify construction is according to DENR approved plans. May also require permit under mosquito control program, and a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion. | 30 days<br>(60 days)                          |



DEPARTMENT OF THE ARMY  
WILMINGTON DISTRICT, CORPS OF ENGINEERS  
151 PATTON AVENUE  
ROOM 208  
ASHEVILLE, NORTH CAROLINA 28801-5006

REPLY TO  
ATTENTION OF:

November 18, 2003

Regulatory Division

Action ID 200430124

Ms. Suzette Molling  
United States Department of the Interior  
National Park Service  
Blue Ridge Parkway  
199 Hemphill Knob Road  
Asheville, North Carolina 28786

Dear Ms. Molling:

Reference your October 23, 2003 letter requesting comments for an Environmental Assessment (EA) being drafted for the granting of a right-of-way to the City of Asheville through National Park Service property downstream of Parkway Bridge number 11283 in Asheville, Buncombe County, North Carolina. The City is requesting access to a 5-acre beneficial fill site adjacent to the Swannanoa River.

Access will require the replacement of the bridge decking, installation of new bridge railings, and slight widening of an existing gravel road. The fill site is elevated above the surrounding 100-year floodplain of the Swannanoa River, and does not contain any waters of the United States.

Department of the Army (DA) authorization, pursuant to Section 404 of the Clean Water Act, will be required for any temporary or permanent discharges of dredged and/or fill material below the plane of ordinary high water within the Swannanoa River. Such authorization must be obtained prior to the initiation of construction activities. Notification to the COE is required for any regulated activities, which are proposed within the 25 trout water counties.

We appreciate the opportunity to comment on the proposal. If you have any questions please contact me at (828) 271-7980, extension 6.

Sincerely,

David K. Baker  
Project Manager  
Asheville Regulatory Field Office